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PATENT
ATTORNEY DOCKET NO. 046124-5005-02-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Takashi OSUMI *et al.*)
)
Application No.: **Not Yet Assigned**)
)
Filed: May 10, 2001)
)
For: GREEN FLUORESCENT PROTEINS)
AND BLUE FLUORESCENT PROTEINS)

Group Art Unit: 1652 (Anticipated)
Examiner: E. Slobodyansky, Ph.D.
(Anticipated)

09/852000
05/10/01

Handwritten signature

Commissioner for Patents
Washington, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed before the mailing date of the first Office action on the merits.

Copies of the listed documents were previously submitted or cited by the Examiner in parent Application No. 09/121,539, filed on July 24, 1998, the parent application to copending application No. 09/615,655 filed July 13, 2000. Thus, under 37 C.F.R. § 1.98(d), copies of the listed documents are not required to be provided.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration of relevant portions thereof by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." Applicants reserve the right to take appropriate action to establish the

patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 

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Dated: May 10, 2001

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